

The Honorable James L. Robart

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AUG -2 2013
AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In re DENDREON CORPORATION CLASS
ACTION LITIGATION

MASTER DOCKET NO. C11-01291JLR

(Consolidated with Nos. C11-1294JLR and
C11-1568JLR)

This Document Relates To:

CLASS ACTION

ALL ACTIONS

~~[PROPOSED]~~ ORDER APPROVING
PLAN OF ALLOCATION

11-CV-01291-ORD

[PROPOSED] ORDER APPROVING
PLAN OF ALLOCATION
MASTER DOCKET NO. C11-01291JLR

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1 Lead Plaintiff's Motion for Final Approval of Class Action Settlement and Plan of
2 Allocation (the "Motion," ECF No. 101) duly came before the Court for hearing on
3 August 2, 2013. The Court has considered the Motion and all supporting and other related
4 materials, including the matters presented at the August 2, 2013 hearing. Due and adequate notice
5 having been given to the Class as required by the Court's Order Preliminarily Approving
6 Settlement, Certifying Class, Providing for Notice and Scheduling Settlement Hearing dated
7 April 26, 2013 (ECF No. 98), and the Court having considered all papers filed and proceedings had
8 herein and otherwise being fully informed in the proceedings and good cause appearing therefor;

9 NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

10 1. This Order incorporates by reference the definitions in the Stipulation of Settlement
11 (the "Stipulation," ECF No. 97), and all capitalized terms used, but not defined herein, shall have
12 the same meanings as in the Stipulation.

13 2. This Court has jurisdiction over the subject matter of the Litigation and over all
14 parties to the Litigation, including all Members of the Class.

15 3. Pursuant to and in full compliance with Rule 23 of the Federal Rules of Civil
16 Procedure, this Court hereby finds and concludes that due and adequate notice was directed to all
17 persons and entities who are Class Members, advising them of the Plan of Allocation and of their
18 right to object thereto, and a full and fair opportunity was accorded to all such persons and entities
19 to be heard with respect to the Plan of Allocation.


20 4. The Court hereby finds and concludes that the formula for the calculation of the
21 claims of Authorized Claimants (the "Plan of Allocation") which is set forth in the Notice of
22 Pendency of Class Action and Proposed Settlement, Settlement Hearing, and Motion for
23 Attorneys' Fees and Reimbursement of Litigation Expenses (the "Notice") provides a fair and
24 equitable basis upon which to allocate the proceeds of the Net Settlement Fund among the Class
25 Members who submit valid Claim Forms.
26

1 5. The Court hereby finds and concludes that the Plan of Allocation is, in all respects,
2 fair and equitable to the Class. Accordingly, the Court hereby approves the Plan of Allocation
3 proposed by Lead Plaintiff.

4 6. The finality of the Judgment entered with respect to the Settlement shall not be
5 affected in any manner by this Order, or any appeal from this Order approving the Plan of
6 Allocation.

7
8 IT IS SO ORDERED.

9 DATED: August 2, 2013


HONORABLE JAMES L. ROBART
UNITED STATES DISTRICT JUDGE

1 Presented by:

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3 & GROSSMANN LLP

4 s/ Blair A. Nicholas

BLAIR A. NICHOLAS

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